

EX PARTE OR LATE FILED

DOCKET FILE COPY DUPLICATE

RECEIVED

FEB 27 2003

Federal Communications Commission
Office of SecretarySAN JOSE DOWNTOWN
ASSOCIATION28 N. FIRST ST.
SUITE 1000
SAN JOSE, CA 95113
TEL: 408-279-1775
FAX: 408-279-1904

WWW.SJDOWNTOWN.COM

February 13, 2003

Honorable Michael Powell
Chairman, Federal Communications Commission
445 12th Street, SW
Washington, DC 20544RE: CC Docket No. 01-338. Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers

Dear Chairman Powell,

The San Jose Downtown Association (SJDA) is a non-profit membership based organization founded in 1986. SJDA represents over 1,800 small businesses and property owners working to enhance the vitality and livability of downtown San Jose, CA. In order to achieve this, we must identify important issues, establish collaborative efforts in the interest of business and influence the public policy that affects our mission. One such issue, about which I am writing to you today, is unbundling regulation in the telecommunications industry.

It is our hope that the Federal Communications Commission would enact regulations that would add significant value, efficiencies and capabilities to small and large businesses across the U.S. That is why we are supporting the proposals before the FCC that would eliminate unbundled switching and UNE-P.

It is clear that if broadband investment is freed from costly unbundling regulation, we will see a significant increase in the investment and deployment of valuable new technologies.

Further, consider a recent study by the Progress and Freedom Foundation, which found that eliminating the current unbundling regime would result in the creation of more than 1 million new jobs in the communications sector and an increase in capital spending of \$169.5 billion over the next five years.

We hope you will consider these facts and our position before you make a decision at the upcoming Triennial Review.

Thank you.

Scott Kline, Director
Executive Director

San Jose Downtown Association

Cr: Commissioner Abernathy
Commissioner Adelstein
Commissioner Martin
Commissioner CoppsNo. of Copies rec'd 0
List ABCDE